

**United States Department of the Interior
Bureau of Land Management
Coeur d'Alene Field Office, Idaho**

FINDING OF NO SIGNIFICANT IMPACT

Project Name: Cougar Bay Easement Acquisition

BLM Office: Coeur d'Alene Field Office, 3815 N Schreiber Way, Coeur d'Alene, ID

Case File No.: IDI-37194

NEPA Register No.: BLM-ID-C010-2012-0003-EA

Project Location: Kootenai County, Idaho. Boise Meridian Township 50 North, Range 4 West
Section 21, SE1/4SE1/4 (0.48 acres)
Section 22, NW1/4SW1/4SW1/4 (0.57 acres)

Contact: Kurt Pindel (Natural Resource Specialist-Recreation, 208-769-5015)

The BLM prepared the attached environmental assessment (EA) for compliance with the National Environmental Policy Act (NEPA). Based upon my review of the EA, I have determined the proposed Cougar Bay Easement Acquisition is not a major federal action that may have a significant effect on the quality of the human environment. As analyzed in the EA, no environmental effects of the proposed action meet the definition of significance as defined by regulations to implement NEPA found at 40 CFR 1508.27. This finding is based on my consideration of both the context and intensity of the project, as described below.

Context

The parcels proposed for easement acquisition (0.48 acres and 0.57 acres) are located in the Coeur d'Alene Lake Special Recreation Management Area in Kootenai County. The easement is for recreational values including hiking, wildlife viewing and access to Lake Coeur d'Alene, in accordance with a multi-agency agreement concerning joint resource management activities. The proposed easement would allow future construction of a trail to connect an existing trail owned by The Nature Conservancy to public land that is managed by the BLM known as the John Pointner Memorial Wildlife Sanctuary (EA, page 1).

Intensity

(1) Impacts that may be both beneficial and adverse.

The EA documents that the proposed acquisition will benefit the public by providing access across private land to over 200 acres of BLM lands with outstanding views of Lake Coeur d'Alene (page 1). The public would be informed that they are crossing private land, and minor adverse impacts to vegetation, soils and water resources are associated with disturbance to only 0.48 acres from use of an existing trail. Impacts would be reduced by maintenance of the trail, and planting of areas vulnerable to weed invasion with desirable species (page 3). Future use of the trail is not expected to result in significant disturbance to wildlife or habitat in the area.

(2) The degree to which the proposed action affects public health or safety.

An Environmental Site Assessment was prepared as part of the acquisition process, and there were no major concerns associated with this easement.

(3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

Lands acquired by this easement would allow public access to the BLM lands managed as the John C. Pointner Memorial Wildlife Sanctuary (EA, page 1). No cultural sites are in the easement. Cultural surveys completed within the easement did not discover any sites, and no prime farmlands, wild and scenic rivers or areas of critical environmental concern in the area (page 2). Vegetation in the area consists primarily of upland forest. Wetlands are present where the existing trail borders Cougar Bay, small draws support a minor amount of riparian vegetation, and meadow or dry grassy vegetation occurs between the parking area and the trail easement (page 5). As discussed in chapter 3 of the EA, minor impacts are anticipated to the vegetation, wildlife, aquatic species, water resources and wetland habitat in the geographic area.

(4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

Coordination with potentially affected interests, including the landowner, The Nature Conservancy and the Coeur d'Alene Tribe, did not identify any controversy (EA, page 20). This parcel is being donated by the landowner. Timely acquisition of the easement is in the public interest as the BLM continues with planning for a trail on adjacent public lands.

(5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The proposed acquisition involves no highly uncertain, unique, or unknown risks. The EA identified potential benefits that would be realized by BLM's timely acquisition and management of public access across the private lands for recreational purposes.

(6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The proposed acquisitions are a discretionary action on the part of the landowner and BLM to avoid future trespass issues, and do not establish a precedent or represent a decision in principle about a future consideration. Future use of BLM's authority to acquire easements in the public interest would not be precluded.

(7) Whether the action is related to other actions with individually insignificant, but cumulatively significant impacts.

As summarized in Chapter 3 of the EA, acquisition of the easement will result in some short term impacts from use of the existing easement trail and proposed construction of a new trail on adjacent public lands. Other reasonably foreseeable future actions include road encroachment and maintenance; flooding; erosion; recreational pursuits; agricultural

use; and lake levels controlled by the Post Falls Dam. Ongoing and future activities will continue to promote a mosaic of habitats. Maintenance and public use of a trail may temporarily disturb wildlife in the analysis area (EA, page 12), but provide beneficial direct and indirect effects to visual, recreational, and natural resources. There is no potential for cumulatively significant adverse impacts when added to other past, present and reasonably foreseeable future actions.

(8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

The proposed acquisition would not impact any properties listed in or eligible for listing in the National Register of Historic Places. A cultural resource inventory was conducted in the easement area. No cultural resources were located (EA, page 2).

(9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

As summarized in the EA (section 3.2.1, Vegetation; 3.2.3, Aquatic Species; and 3.2.2, Wildlife), the easement acquisition will not affect any endangered or threatened species or its habitat.

(10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

The proposed action is consistent and compatible with all known Federal, State, and local laws, regulations, or requirements imposed for protection of the environment. A property inspection will be completed prior to title closing to ensure that any non-conforming improvements, trash, debris, etc. have been removed from the properties. All other monitoring will be performed in accordance with applicable requirements.

Conclusion

Based upon review of the EA, I have determined that the Cougar Bay Easement Acquisition will not have a significant effect on the quality of the human environment. Therefore, preparation of an environmental impact statement is not required.

 /signed by/
Kurt Pavlat, Field Manager

28 March 2012
Date